

REMARKS

Claims 1, 9, 18, and 22 have been amended.

Claims 12-17, and 21 have been cancelled without prejudice.

New Claims 23 and 24 have been added.

Claims 1-11, 18-20, and 22-24 are currently pending in this application.

Claims 1 and 18 are in independent format.

1. Rejections Under 35 U.S.C. § 102(b)

The rejection of Claims 1-8, 10-11, and 18-22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,376,353 to *Helfman* is respectfully traversed.

The MPEP at §2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required in the claim.

The '353 *Helfman* reference fails to anticipate amended independent Claim 1, as it fails to disclose at least a rigid door frame removably secured in an upright configuration to a *portable* base plate, as well as at least one stationary holding bracket which is secured to a vertical jamb of the door frame and which is *external to* , and *parallel with*, a rear vertical plane of the door frame. The '353 *Helfman* reference is directed towards a security door designed to prevent disengagement of its attachment to the a supporting building structure, i.e. walls. As such, the '353 *Helfman* reference is not directed towards a portable forcible door entry training apparatus designed for use

in teaching proper techniques of forcible door entry to emergency personnel. The components 62 and 64 of the '353 *Helfman* reference which the Examiner contends correspond to the holding brackets of the present invention, are in fact, a "normal door knob and latch structure 62" and the "dead bolt structure 64". These components are not secured externally to the vertical jamb of the door frame, but rather, are actually installed within the door itself. Furthermore, the knob and deadbolt do not extend inward from the jamb, external to and parallel with a rear vertical plane of the frame to restrict the door from rearward opening by interference. (See: Ref. No. 126, Figs. 1 & 6) Accordingly, independent claim 1 of the present invention is not anticipated by the '353 *Helfman* reference under 35 U.S.C. § 102(b).

Dependent Claims 2-8, and 10-11 each depend either directly or indirectly from independent Claim 1, and accordingly, include the same limitation therein. Claims 2-8 and 10-11 are not anticipated by the '353 *Helfman* reference under 35 U.S.C. § 102(b) for at least the same reasons as independent Claim 1.

The '353 *Helfman* reference fails to anticipate amended independent Claim 18 for much the same reasons as set forth above in connection with Claim 1. The '353 *Helfman* reference is a door structure intended for *permanent installation* within a building structure, and fails to disclose a *portable* base plate to which the rigid door frame is secured. The '353 *Helfman* reference further fails to disclose first and second inwardly extending holding brackets secured to a vertical jamb and which are *external* to the rear face of the rigid door frame, at door knob and deadbolt lockset height. As previously discussed, the components 62 and 64 of the '353 *Helfman* reference which the Examiner contends correspond to the holding brackets of the present invention, are

in fact, a "normal door knob and latch structure 62" and the "dead bolt structure 64". Standard knobs and deadbolts do not extend inward from the jamb, external and parallel to a rear vertical plane of the frame to restrict the door from rearward opening. Accordingly, independent claim 18 of the present invention is not anticipated by the '353 *Helfman* reference under 35 U.S.C. § 102(b).

Dependent Claims 19, 20, and 22 each depend either directly or indirectly from independent Claim 18, and accordingly, include the same limitation therein. Claims 19 and 20 are not anticipated by the '353 *Helfman* reference under 35 U.S.C. § 102(b) for at least the same reasons as independent Claim 18.

Claim 21 has been cancelled.

2. Rejections Under 35 U.S.C. § 103

The rejection of claim 9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,376,353 to *Helfman* in view of U.S. Patent No. 4,015,382 to *Noyes* is respectfully traversed.

The '382 *Noyes* reference discloses a door frame composed of two jamb sections and a head section connected together to fit into a rough door opening. The '353 *Helfman* reference discloses a security door frame structure for installation into a building opening. Both of these structures are intended for permanent installation within a supporting building structure following assembly, and are not configured for disassembly into discrete components for movement after installation.

In contrast, the forcible door entry training apparatus of the present invention is configured with removable bolts to facilitate disassembly into discrete components and transport for use in a variety of different locations as may be required during the training

of emergency personnel in the proper techniques of forcible door entry. The cited combination of the '353 *Helfman* reference in view of the '382 *Noyes* reference fails to render obvious to one of ordinary skill in the art a door support structure which is designed for repeated assembly/disassembly using removable bolts, and which incorporates at least one holding bracket secured to a vertical jamb on the rear face of the rigid door frame, which extends inward from the vertical jambs, external from, and parallel to, a rear vertical plane of the rigid door frame to restrict the door from rearward opening by interference. Accordingly, Claim 9 is not believed to be rendered obvious by the cited combination, and is seen as allowable under 35 U.S.C. § 103(a) over the '353 *Helfman* reference in view of the '382 *Noyes* reference.

3. New Claims

New dependent claims 23 and 24 have been added.

New dependent Claim 23 depends directly from independent Claim 18 and requires that the portable base plate have a transverse dimension which is substantially greater than a transverse dimension of the rigid door frame, such as shown in Figures 1, 3, and 4. None of the cited references illustrate a base plate having transverse dimensions which are greater than a transverse dimension of an associated door frame, and accordingly, Claim 23 is seen as allowable over the cited references.

New dependent Claim 24 depends directly from independent Claim 1 and requires that the rigid door frame be supported in the upright configuration exclusively by the removable couplings of the left and right vertical jambs to the portable base plate. In other words, the present claim does not rely upon any supporting building structure, such as walls, to maintain the rigid door frame in an upright configuration.

None of the cited references disclose a door frame which is maintained in an upright configuration without attachment to supporting building structures such as walls. Accordingly, Claim 24 is seen as allowable over the cited references.

4. Conclusion

Based on the foregoing, the allowance of claims 1-11 and 18-20, and 22-24 is requested.

If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issues, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

Respectfully submitted,



Mark E. Books, Reg. No. 40,918
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive, Suite 200
St. Louis, Missouri 63131
Tel: (314) 238-2400
Fax: (314) 238-2401
mbooks@patpro.com